

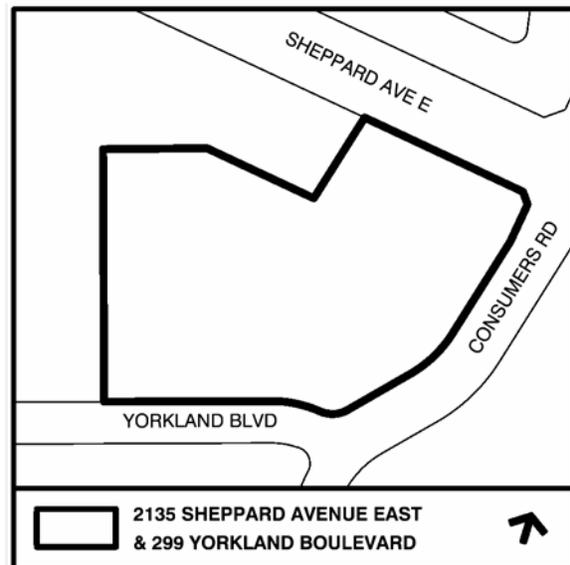
**2135 Sheppard Avenue East and 299 Yorkland Boulevard – Subdivision Application – Final Report**

<b>Date:</b>	January 27, 2017
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 33 – Don Valley East
<b>Reference Number:</b>	14 262818 NNY 33 SB

**SUMMARY**

This application proposes to subdivide the lands at 2135 Sheppard Avenue East and 299 Yorkland Boulevard to create six blocks. It is related to an application to amend the Official Plan and Zoning By-law for this site, which was approved by the Ontario Municipal Board in October 2014.

Blocks 1 and 6 would accommodate the approved mixed use development that comprises 1,100 dwelling units in three residential buildings on the westerly portion of the lands and a 4-storey retail building including a large format retail facility along the Sheppard Avenue East frontage. Block 2, located at the northwest corner of Consumers Road and Yorkland Boulevard, would accommodate a 0.21 ha public park. Blocks 3, 4 and 5 would be lands dedicated for road widenings. The Plan of Subdivision also includes a new 18.5 metre wide public right-of-way for a new public street (Street 'A') that would be located along the west edge of the site, extending north from Yorkland Boulevard and terminating in a cul-de-sac.



This report advises that the Chief Planner intends to approve the Draft Plan of Subdivision subject to appropriate conditions of approval.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. In accordance with the delegated approval under by-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning, intends to approve the draft plan of subdivision as generally illustrated on Attachment 3 to report dated January 27, 2017 subject to:
  - a. the conditions as generally listed in Attachment 5 to report dated January 27, 2017 which except as otherwise noted must be fulfilled prior final approval and the release of the plan of subdivision for registration; and
  - b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this development.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In February 2012, applications to amend the Official Plan *Employment Areas* designation for the site and the Zoning By-law were submitted to permit a mixed-use development with residential, retail and other commercial uses (File No. 12 126689 NNY 33 OZ). On April 3, 2014, the applicant appealed the applications to the Ontario Municipal Board (Case No. PL140351) due to Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*. The Municipal Comprehensive Review and Employment lands review as part of the City's Five Year Official Plan Review were underway at the time the applications were filed.

At its meeting of October 8, 9, 10 and 11, 2014, City Council directed staff to attend the Ontario Municipal Board hearing in support of the amendment applications, subject to them being revised to address the issues set out in the report dated July 17, 2014 from the Director, Community Planning, North York District. The Decision Documents and Request for Direction report on the amendment applications can be found at the following city web site link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.13>

A settlement reached between the applicant and the City was presented to the Ontario Municipal Board at its hearing of September 25, 2014. In a decision dated October 28, 2014, the Ontario Municipal Board approved the zoning by-law subject to the execution

of the Section 37 Agreement and an application for Plan of Subdivision being filed by the applicant. The Ontario Municipal Board issued its final order on December 8, 2015, approving the By-law.

At its meeting of December 16-18, 2013, City Council adopted Official Plan Amendment 231 (OPA 231) at the conclusion of the Municipal Comprehensive Review and Employment lands review as part of the City's Five Year Official Plan Review. OPA 231 brought forward amendments to the Official Plan for economic health and employment lands policies, land use designations and Site and Area Specific policies. Through the adoption of OPA 231 the lands were redesignated to *Mixed Use Areas*. Site and Area Specific Policy 386 (SASP 386) was also brought forward for the lands and surrounding area providing additional direction for future change and directs that an implementation plan be brought forward as Official Plan policy for the Consumers Road Business Park that includes an incentive program to encourage office development, provide amenities to support the employment uses in the business park and establish development densities and new streets and blocks in the study area.

In June 2015, the study, referred to as ConsumersNext, was officially launched. The website can be found here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=38d6d15b2719d410VgnVCM10000071d60f89RCRD>

## **ConsumersNext**

ConsumersNext is centered on lands generally bounded by Sheppard Avenue East, Victoria Park Avenue, Highway 401 and Highway 404, including the *Mixed Use Areas* lands on the east side of Victoria park Avenue, in the former City of Scarborough.

The subject site is located within the core study area.

ConsumersNext is a multi-faceted study being undertaken by the City Planning Division in partnership with the Economic Development and Culture Division and Toronto Water that is looking at ways to manage growth signaled by recent policy changes for lands in the vicinity of Sheppard Avenue East and Victoria Park Avenue. The policy changes noted above look to ensure that the Consumers Road Business Park remains an attractive location for business investment by being a vibrant place to work that is part of a well-connected community. The study will propose policies and strategies to manage the anticipated growth in employment and residential population, identify improvements and investment to benefit workers and residents, support the long term health of the employment centre and address current challenges in the study area. ConsumersNext has been structured into three studies that together will address the strategic outcomes necessary to achieve these goals.

The Planning Study will develop a vision and recommend a new framework for future investment in the area that will integrate public realm, parks, open spaces and built form with mobility strategies. It will also produce Transportation and Infrastructure Master

Plans that will satisfy Phase 1 and 2 of the Municipal Class Environmental Assessment process.

The Economic Potential Study will assess the current strengths of the business park and recommend strategies to attract and retain business within the area while identifying actions that may be transferable to other office-based employment centres in Toronto.

The Community Services and Facilities Study will evaluate the existing capacity of facilities and services and will work in conjunction with the Planning Study to assess projected growth and change to identify priorities to meet future social infrastructure needs.

ConsumersNext is being conducted in 4 phases:

1. Understand the Study Area and Establish a Vision.
2. Test and Confirm Ideas.
3. Finalize Design and Develop the Plan.
4. Implementation.

At its meeting of January 20, 2016, the Planning & Growth Management Committee received a Report (December 29, 2015) from the Chief Planner and Executive Director, City Planning, summarizing the results of the first phase of the ConsumersNext Study. This phase of study focused on obtaining an understanding of the study area and yielded a number of key findings on the historic and emerging context of the area. In addition to key findings outlined in the report, the first phase of ConsumersNext resulted in a series of guiding principles necessary to develop and evaluate alternative scenarios that were advanced in subsequent phases of work. The Decision Documents and Phase 1 Report, including the consultant's Executive Summary can be found at the following city web site link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG9.1>

Phase 3 of the study is nearing completion. Staff will use the final recommendations of the consultant team to develop a planning framework, including appropriate policy tools, implementation strategies and design guidelines to present to Planning and Growth Management Committee for consideration in the second quarter of 2017.

## **ISSUE BACKGROUND**

### **Proposal**

This subdivision application proposes to subdivide the lands into six blocks (refer to Attachment 3: Draft Plan of Subdivision).

Blocks 1 and 6 would be development blocks. As permitted by Zoning By-law No. 1182-2016(OMB) these two blocks would accommodate the approved mixed-use development consisting of 1,100 dwelling units in three residential buildings with heights of 26, 34 and 43 storeys, and a 4-storey retail building including a large format retail facility located at

the southwest corner of Sheppard Avenue East and Yorkland Boulevard. Block 1 would have an area of 11,687.1 square metres. Block 6 has an area 4,095.7 square metres. The development would have a total gross floor area of 82,907 square metres, of which 18,746 square metres would be non-residential floor area, resulting in a density of 3.95 times the lot area. A copy of the proposed site plan is shown in Attachment 2.

Block 2 would accommodate a centrally located park visible from adjacent streets. The park would be 2,140 square metres in size, triangular in shape and would have frontage on Consumers Road and Yorkland Boulevard. Given its size and configuration the park can provide for a mix of active and passive uses over time.

Blocks 3, 4 and 5 would be lands to be conveyed to the City for road widening purposes. Block 3 would have an area of 601.7 square metres and would be located along Sheppard Avenue East. Block 4 would have an area of 50.4 square metres and would be located along Consumers Road. Block 5 would have an area of 146.4 square metres and would be located along Yorkland Boulevard.

A new north-south public street (Street 'A') would be constructed along the west edge of the subdivision. The street would not only provide vehicular and pedestrian access to the proposed development, but would also provide opportunities to connect through adjacent properties to the existing public street network, which would increase permeability for the surrounding area and provide for alternative routes in and out of the proposed development. Additional alternative routes and new streets are being explored through ConsumersNext.

The following table provides a summary of each new block to be created:

<b>Block</b>	<b>Description</b>	<b>Area (in square metres)</b>
<b>1</b>	Development Parcel	11,687.1
<b>2</b>	New Public Park	2,139.6
<b>3</b>	Road widening along Sheppard Avenue East	601.7
<b>4</b>	Road widening along Consumers Road	50.4
<b>5</b>	Road widening along Yorkland Boulevard	146.4
<b>6</b>	Development Parcel	4,095.7
<b>Public Road</b>	18.5 metre wide right-of-way (Street 'A')	2,242.5
<b>Total</b>		<b>20,963.4</b>

The development proposed on the blocks would be constructed in three phases. Phase one would consist of a 26-storey, 311-unit, condominium apartment building with 272 parking spaces in three levels of underground parking on Block 6 of the plan of subdivision (Building 'D'). The initial phase would also include the new public road (Street 'A') and 2,140 square metre public park. Phase two would comprise the 4-storey, 18,746 square metres commercial building along the Sheppard Avenue East frontage of the lands. Phase three would consist of the 34 and 43-storey condominium apartment buildings located west of the park along the Yorkland Boulevard frontage on the Block 1 lands of the subdivision.

Refer to Attachment No. 4 for application data.

## **Site and Surrounding Area**

The site is located at the southwest corner of Sheppard Avenue East and Consumers Road and is municipally known as 2135 Sheppard Avenue East and 299 Yorkland Boulevard (refer to Attachment 1: Context Plan). The site is irregular in shape and has a total area of approximately 20,963m<sup>2</sup> with frontages of 88 metres on Sheppard Avenue East, 146 metres on Consumers Road and 111 metres on Yorkland Boulevard. Until recently the site contained two buildings: a single storey building occupied by a car dealership and service shop (Don Howson Chev Olds) and a single storey building occupied by Enterprise Rent-A-Car and Carstar Collision Centre.

Surrounding land uses include:

South: Yorkland Boulevard and Consumers Road then employment uses (office buildings 5, 9 and 11-storeys in height);

East: Consumers Road then employment uses (3-storey office building with Scotiabank and Firkin restaurant on the ground floor), then mixed use (Atria IV/Tridel development);

West: employment uses (automobile service station, automobile repair use, two car wash establishments, two restaurants) then mixed use (Monarch's Heron's Hill development); and

North: Sheppard Avenue East then semi-detached dwellings on lands designated *Neighbourhoods*.

The site is situated within the Consumers Road Employment District which is bounded by Sheppard Avenue East to the north, Victoria Park Avenue to the east, Highway 401 to the south and Highway 404 to the west. The Consumers Road Employment District was one of several office parks established in the 1960's along the Don Valley/Highway 404 corridor.

There are approximately 60 buildings within the Consumers Road Business Park comprised primarily of office buildings, ranging in height from 1 to 17 storeys and generally surrounded by large surface parking lots. The south side of Sheppard Avenue East between Highway 404 and Victoria Park Avenue contains a broad mix of existing and recently approved land uses including low density, automobile-oriented commercial uses; low rise and high rise office uses; and high density residential uses, including Monarch's Heron's Hill development at Yorkland Road and Tridel's Atria IV development east of Consumers Road currently under construction.

Sheppard Avenue East is a major arterial road identified as an *Avenue* in the Official Plan and is intended to have a 36 metre right-of-way width. Map 4 of the Official Plan

identifies Sheppard Avenue East as a planned Higher Order Transit Corridor extending easterly from the existing Don Mills subway station. There is an approved Environmental Assessment for an LRT line that would run underground from the Don Mills station beneath Highway 404 and would emerge above grade at a planned Consumers Road stop. East of Consumers Road, the LRT line would run at grade within the centre median of Sheppard Avenue East, with an additional stop at Victoria Park Avenue.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

As part of OPA 231, the lands previously designated *Employment Areas* fronting on the south side of Sheppard Avenue East, including the subject site, and the lands on the west side of Victoria Park Avenue were redesignated to *Mixed Use Areas*. Lands within the business park were redesignated to *General Employment Areas* which provides for a wider range of non-residential uses. In addition, Site and Area Specific Policy 386 (SASP 386) was adopted for the Consumers Road Business Park to ensure no loss of employment space and to provide amenities such as restaurants, recreation, entertainment, retail and services more readily accessible to area workers. It further allows additional residential and commercial development along Sheppard Avenue East and Victoria Park Avenue.

The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses, and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale. It is anticipated that *Mixed Use Areas*, which are considered growth areas, will absorb most of the City's new housing, retail, office, and service employment.

The new policies and associated SASP 386 promote a balanced growth of jobs and housing so Torontonians can both live and work in the city, reducing the need for long distance commuting and minimizing congestion on roads. The integration of transportation and land use is a key tenet of the Official Plan both through the Transportation policies and those in OPA 231. The policies work together to promote new office uses in *Employment Areas* and *Mixed Use Areas* within walking distance of an existing, or approved and funded subway, light rapid transit or GO Station. When residential development takes place on a site with an existing office building within 500 metres of a station, the new development must provide a net gain of office space in addition to the residential component.

## **Zoning**

The subject property is zoned C1(142)A, C1 (142)B and O1(47) under North York Zoning By-law No. 7625. The zoning allows for residential uses and non-residential uses including a large format retail facility and parkland. Site specific Zoning By-law No. 1182-2016(OMB) permits a maximum gross floor area of 83,500 square metres including a maximum gross floor area of 18,750 square metres for non-residential uses and a total of 1,100 dwellings units. Generally, the maximum permitted building heights are 132 metres (43-storeys), 105.5 metres (34-storeys) and 82 metres (26-storeys) for the three residential apartment buildings and 31 metres (4-storeys) for the commercial building.

## **Site Plan Control**

This proposal is subject to Site Plan Control. An application for the first phase was submitted February 10, 2016 (File No. 16 114862 NNY 33 SA). The application proposes a 26-storey, 314-unit condominium apartment building on Block 6. The application for Site Plan Control is being reviewed concurrently with this application for Draft Plan of Subdivision.

## **Reasons for Application**

A Draft Plan of Subdivision application is required to create the park lands, street and development blocks that implement the Zoning By-law provisions for the mixed-use development.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate conditions of Draft Plan Approval.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. It states that healthy and active communities should be promoted by planning public roads, and open spaces that are safe, meet the needs of pedestrians, create community

connectivity, and foster social interaction. The development of a publicly accessible open space, a pedestrian connection through the site to Sheppard Avenue East, and a public road built to City standards would: provide safe travel options for pedestrians, cyclists, those utilizing mobility devices, and vehicles; promote community connectivity and social interaction, and provide a publicly-accessible area for recreation. The proposal is consistent with the mix of land uses promoted by the PPS, and efficiently uses the existing infrastructure and public services where possible. Further, the proposed development does not risk public health and safety. The proposal is consistent with the PPS.

The Growth Plan encourages intensification and redevelopment in urban areas which provide a healthy, liveable and safe community. This proposal provides reasonable intensification through infill development that is compatible with the existing neighbourhood, while utilizing existing infrastructure, as contemplated by the Growth Plan. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

This application proposes to subdivide the existing lands to accommodate two development blocks, lands for a new public road, road widenings and a new public park. The approved zoning by-law permits a mixed use development of varying heights, densities in an area planned to be serviced by a higher-order transit line. The Draft Plan of Subdivision proposes the creation of a public street which satisfies the Official Plan policy that new streets be provided that will contribute to the development of a connected network.

The lands are suitable for a mixed-use development. This segment of Sheppard Avenue East is evolving into a mixed-use corridor with the recent approvals of the Heron's Hill (2025-2045 Sheppard Avenue East) and Atria IV (2205 Sheppard Avenue East) developments, together with existing residential and commercial land uses on the north and south side of Sheppard Avenue. As well, the introduction of a new park and grade-related retail uses will not only amenitize the developments on the south side of Sheppard Avenue, but will also support the existing office uses in the business park area, creating a viable and desirable mixed use and complete community. The transformation of Sheppard Avenue East into a mixed-use corridor will be further supported by the introduction of the planned Sheppard East LRT line.

The proposal conforms to the policies of the Official Plan.

## **Land Use**

Block 1, the largest of the six proposed blocks, would accommodate the majority of the approved mixed-use development and comprise a 4-storey, 18,746 square metre commercial building along the Sheppard Avenue East frontage framing the north edge of the new public park and two condominium apartment buildings with heights of 34 and 43-stories framing the west edge of the park. Block 6 would accommodate a 26-storey,

314-unit condominium apartment building. Block 2 would accommodate a new public park.

The proposed subdivision would also create a new 18.5-metre wide public road (Street 'A') that would provide access into the interior of the subject site. The street would terminate into a cul-de-sac and would allow for the potential extension north to Sheppard Avenue East or west to Heron's Hill Way which would improve the connectivity of the existing road network. The draft Plan of Subdivision will allow for the widening of existing public streets (Sheppard Avenue, Consumers Road and Yorkland Boulevard), which would assist in improving the existing vehicular traffic circulation around the site, as well as improving the public realm conditions along these streets.

Matters related to the design and construction of the new public road will be secured in the Subdivision Agreement.

### **Parkland**

The proposed development on the blocks generates a parkland dedication requirement of 2,161 square metres. The parkland dedication requirements will be satisfied by conveying an on-site parkland dedication of 2,140 square metres (Block 2 of the Subdivision) and by providing cash-in-lieu of the 21 square metres for the shortfall in on-site parkland. The proposed park would front the intersection of Consumers Road and Yorkland Boulevard.

The park is appropriate in size, shape and location and will provide access to a public space for the existing residents and workers in the area, as well as the new residents within the Heron's Hill development to the west, Tridel's mixed-use development currently under construction to the east and the existing community north of Sheppard Avenue East. The proposed apartment building to the west and the proposed commercial building to the north are set back from the park and are planned to frame the park at an appropriate proportion and with appropriate uses, windows and doors to help provide a safe environment for users of the park with “eyes on the park”, which is specifically encouraged by Policy 3.1.1(16) of the Official Plan.

The Owner will be required to design and construct the above base park improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). Areas to be addressed in the design of the Park include park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism, etc. The final design and programming of the parkland shall be at the discretion of the General Manager, PFR. The Owner will be required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the approved cost estimate. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit for a building containing residential uses.

Matters related to the public park including the design and construction are included in Attachment 5: Conditions of Draft Plan of Subdivision.

## **Servicing**

The applicant submitted a Functional Servicing and Stormwater Management Report with the application. The report concludes no improvements to the existing infrastructure will be required to accommodate the mixed use development proposed on Block 1. Engineering and Construction Services staff generally supports this conclusion subject to the applicant submitting revisions/corrections to the report regarding the existing sanitary sewer. The applicant is undertaking revisions to the report.

The proposed development on Block 6, the first phase of the development, will be serviced with new infrastructure (sanitary, storm and water) within the proposed Street 'A'.

The municipal servicing requirements are contained in the Draft Plan of Subdivision Conditions.

## **Tree Preservation**

A permit is required to remove, cut down or injure a tree with a diameter of 30 cm or more on City or private property. The Arborist Report filed with the application proposes the removal of 1 City owned tree and 10 privately owned trees that meet the criteria for protection under the applicable City of Toronto Tree By-laws. The requirements of Urban Forestry Services are summarized below:

### Privately-owned trees

Urban Forestry staff requires the submission of a complete "Permit Application to Injure or Destroy Trees on Private Property" together with an application fee in the amount of \$3,139.90 (\$313.99 per tree) for the removal and/or injury of the 10 private trees.

### City-owned trees

Urban Forestry staff requires the submission of an "Application to Remove Healthy City-owned Trees" together with an application fee of \$313.99 for the removal of 1 City-owned tree and a payment in the amount of \$6,413.00 for the amenity value of the City-owned tree. A complete "Agreement for Contractors to Perform Work on City-owned Trees" is also required prior to removing the tree.

Further, the Owner is required to submit a Tree Planting Deposit in the amount \$10,494.00 (\$583.00 per tree) to ensure the planting and survival of 18 new trees on City property.

The requirements of Urban Forestry Services are included in Attachment 5: Conditions of Draft Plan of Subdivision.

## **Tenure**

The proposed units will be part of one or more condominium corporations. Applications for draft plan of condominium approval will be required.

## **School Boards**

Through the processing of the Official Plan and Zoning By-law amendment application the Toronto District School Board advised there was insufficient space at the local schools to accommodate students anticipated from the proposed development and that it may be necessary for students to be accommodated in facilities outside of the area.

The School Board has requested that as a condition of approval, the applicant enter into an agreement to put up signs advising that students may be accommodated in facilities outside the area until adequate funding or space becomes available. The Board further recommended all offers of purchase and sale of residential units include warning clauses to this effect including policies on busing.

The Toronto Catholic District School Board did not provide any comments on the application.

The Toronto District School Board conditions are included in Attachment 5: Conditions of Draft Plan of Subdivision.

## **Toronto Green Standard**

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured in the Subdivision Agreement including measures pertaining to stormwater balance, retention and reuse, erosion and sediment control, and city tree planting. Further performance measures will be dealt with and secured through the Site Plan process.

## **Draft Plan of Subdivision**

City Planning is recommending approval of the draft plan of subdivision subject to the conditions in Attachment 5. The draft plan of subdivision implements the vision of the Official Plan through the creation of a public street and a public park. The review of the draft plan and the conditions of approval ensure the blocks are the appropriate size and configuration. The street as shown on the draft plan of subdivision will allow for future expansion to the north when the adjacent lands along Sheppard Avenue East are redeveloped.

Attachment 5 outlines both the standard and site specific draft conditions that will be satisfied by the applicant including entering into a Subdivision Agreement. The matters secured by the conditions include the conveyance of the new public street and new public park, the payment of all fees, and further engineering review among other matters.

## **Conclusion**

This application proposes to subdivide the existing lands to accommodate six blocks including two development blocks, three road widening blocks and a public park block. Another parcel of land to accommodate an 18.5 metre wide right-of-way would be created and conveyed to the City for public road purposes.

Section 51(24) of the *Planning Act* outlines the criteria for determining whether or not a proposed subdivision is appropriate. The criteria include conformity to provincial plans, whether the plan conforms to the official plan and adjacent plans of subdivision, the appropriateness of the proposed land use, the dimensions and shapes of the proposed lots, and the adequacy of utilities and municipal services. As detailed through this report, the proposed plan conforms to the policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe and complies with the policies of the Toronto Official Plan.

The draft conditions of approval, as outlined in Attachment 5, will ensure that the new public road and public park will be designed and constructed to City standards and that the land transfers to the City are completed in accordance with City policies.

The Chief Planner and Executive Director, City Planning, intends to approve this application for Draft Plan of Subdivision, as generally illustrated on Attachment 3: Draft Plan of Subdivision to this report, subject to the conditions as generally listed in Attachment 5.

## **CONTACT**

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Fax No. (416) 395-7155  
E-mail: Steve.Forrester@toronto.ca

## **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Context Plan  
Attachment 2: Site Plan  
Attachment 3: Draft Plan of Subdivision  
Attachment 4: Application Data Sheet  
Attachment 5: Conditions of Draft Plan of Subdivision

# Attachment 1: Context Plan



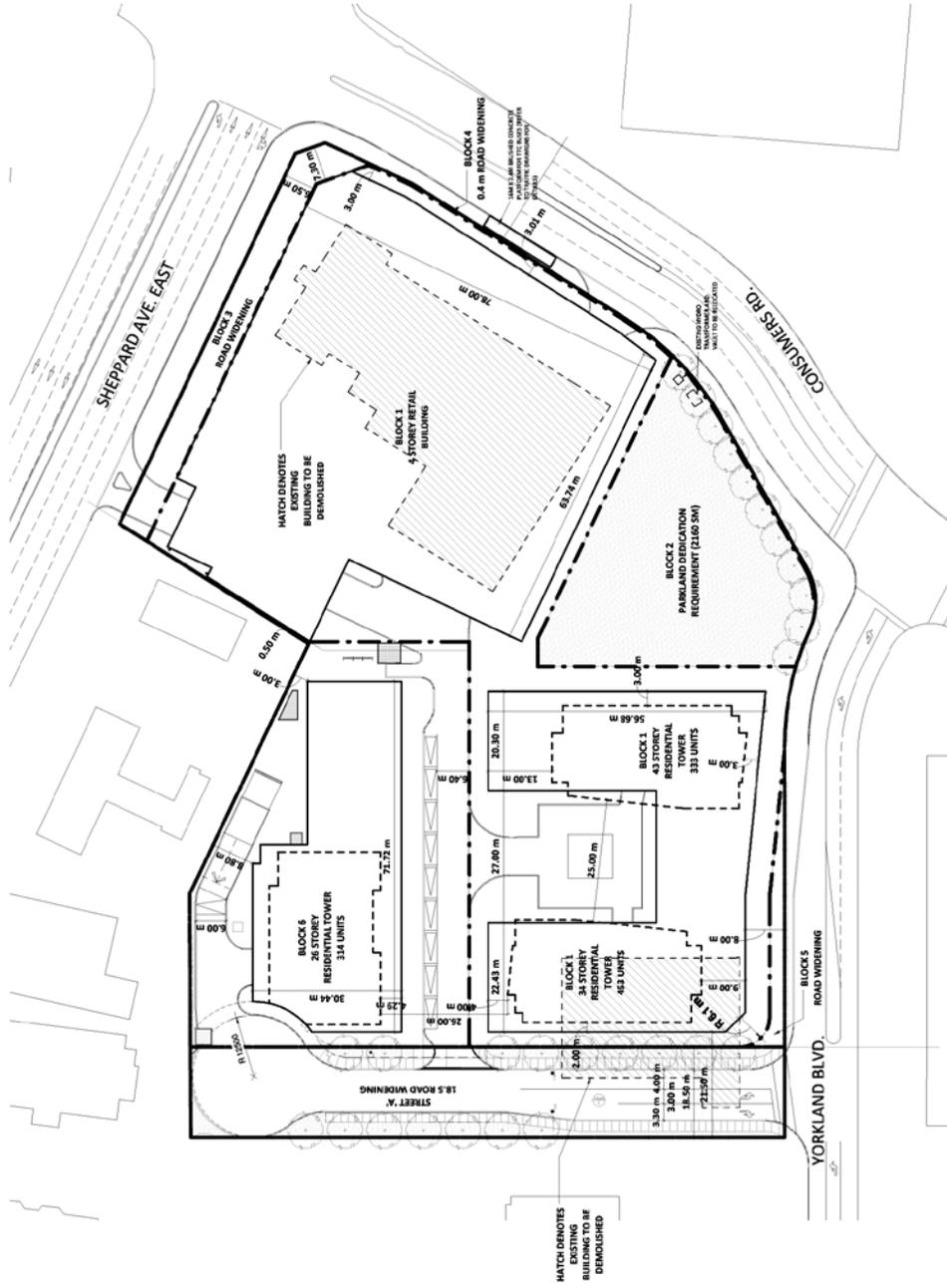
2135 Sheppard Avenue East and 299 Yorkland Boulevard

**Context Plan**  
 Applicant's Submitted Drawing

Not to Scale  
 10/06/2016

File # 14 262818 NNY 33 SB

# Attachment 2: Site Plan



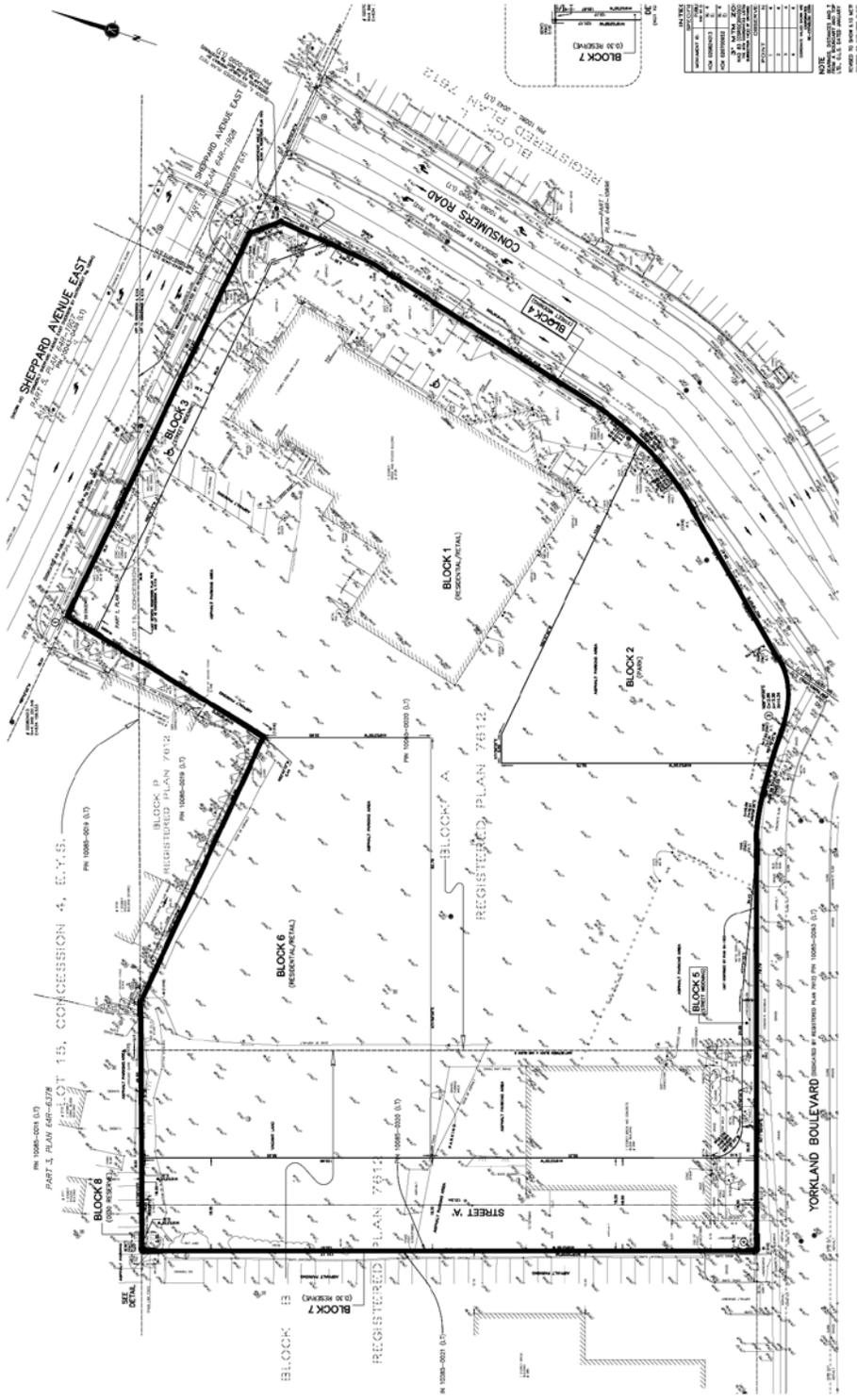
2135 Sheppard Avenue East and 299 Yorkland Boulevard

Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 10/06/2016

File # 14 262818 NNY 33 SB

### Attachment 3: Draft Plan of Subdivision



**2135 Sheppard Avenue East and 299 Yorkland Boulevard**

**Draft Plan of Subdivision**

Applicant's Submitted Drawing

Not to Scale  
10/06/2016

File # 14 262818 NNY 33 SB

## Attachment 4: Application Data Sheet

Application Type	Subdivision Approval	Application Number:	14 262818 NNY 33 SB
Details		Application Date:	December 10, 2014
Municipal Address:	2135 SHEPPARD AVE E & 299 YORKLAND BLVD		
Location Description:	PLAN 7612 BLK A CON 4 EY PT LOT 15 **GRID N3306		
Project Description:	Draft Plan of Subdivision to permit the site to be subdivided into 6 new blocks comprising two development blocks, a 2,139 square metre public park, a public road as well as future road widenings. The development blocks would be developed with 1,100 dwelling units in three residential buildings with heights of 26, 34 and 43 storeys and a 4-storey stand-alone large format retail building with a total gross floor area of 18,746 square metres.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
HILTIN HILLS DEV INC 1815 IRONSTONE MANOR PICKERING ON L1W 3W9	STEPHEN DEVEAUX HILTON HILLS DEV INC	TURNER FLEISCHER 67 LESMILL RD TORONTO ON M3B 2T8	HILTIN HILLS DEV INC 1815 IRONSTONE MANOR PICKERING ON L1W 3W9

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	ZBL No. 1182-2016(OMB)
Zoning:	C1(142)A, C1(142)B, O1(47)	Historical Status:	N
Height Limit (m):	31, 82, 105.5, 132	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	20963	Height:	Storeys:	4, 26, 34, 43
Frontage (m):	88.4		Metres:	31, 82, 105.5, 132
Depth (m):	128.8			
Total Ground Floor Area (sq. m):	3551			<b>Total</b>
Total Residential GFA (sq. m):	64161.7		Parking Spaces:	1557
Total Non-Residential GFA (sq. m):	18746		Loading Docks	5
Total GFA (sq. m):	82907.7			
Lot Coverage Ratio (%):	16.94			
Floor Space Index:	3.96			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	8 (1%)
1 Bedroom:	885 (81%)
2 Bedroom:	207 (18%)
3 + Bedroom:	0
Total Units:	1100

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	64161.7	0
Retail GFA (sq. m):	18746	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Steve Forrester, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7126</b>
	<b>EMAIL:</b>	<b>Steve.Forrester@toronto.ca</b>

## **Attachment 5: Conditions of Draft Plan of Subdivision**

The Chief Planner's approval as set out in the Notice of Decision letter dated XXX, applies to Drawing 11-131DM01, prepared by KRCMAR, Ontario Land Surveyor, dated November 10, 2014, revised on April 6, 2016.

1. The plan submitted for final approval and registration must be substantially in accordance with the approved draft plan specified above. Any minor revisions to the plan must be approved by the Chief Planner's designate, the Director of Community Planning, North York District.
2. **Prior to registration of the plan of subdivision** the Owner shall enter into the City's standard subdivision agreement ("Subdivision Agreement") and satisfy all of the pre-registration conditions contained therein.
3. **Prior to registration of the plan of subdivision** the Owner shall provide to the Director of Community Planning, North York District, confirmation that the taxes have been paid in full (Statement of Account or Tax Clearance Certificate);
4. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.

### Engineering and Construction Services

5. Pay to the City (\$40.00) per lot/block towards the cost of geodetic and aerial survey.
6. Dedicate all roads, road widenings and corner roundings shown on the plan.
7. Convey all reserves as shown on the draft Plan of Subdivision.
8. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Engineering and Construction Services Division in consultation with the City Solicitor.
9. The Owner shall submit a Draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:

- 9.1 be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection);
  - 9.2 delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements;
  - 9.3 show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan; and
  - 9.4 show and describe temporary turning circle lands.
10. The Owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the lands to be conveyed to the City, in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
  11. **Prior to the registration of the Plan of Subdivision**, the Owner shall submit a draft Reference Plan describing the turning circle lands for approval, and pay all costs for the preparation and deposit of the plan on title to the property.
  12. **Prior to the registration of the Plan of Subdivision**, the Owner shall enter into a Turning Circle Agreement for the lands described as Part 1 on Draft Reference Plan prepared by KRCMAR and referenced as Job Number 11-131.
  13. The Owner shall pay engineering and inspection fees in accordance with the terms of the standard subdivision agreement.
  14. The Owner shall submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy.
  15. The Owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
  16. The Owner shall be responsible for maintenance of the approved Stormwater quality unit(s) within new municipal Street A, installed by the Owner until the road and services are assumed by the City.
  17. **Prior to registration of the Plan of Subdivision**, the Owner agrees to submit any additional supporting documentation as may be required by the Executive Director of Engineering and Construction Services respecting Hydrogeological Investigation and Geotechnical Investigation reports that must be in place prior to issuance of Site Plan Approvals for the future development blocks within the subdivision. If the Executive Director of Engineering and Construction Services determines it necessary, the Owner's consulting engineer shall update the sewer

- capacity analysis and revise the accepted Functional Servicing and Stormwater Management Report, accordingly. If the revised Functional Servicing and Stormwater Management report concludes that infrastructure improvements are required to service the future development blocks, the Owner agrees to design and construct all municipal infrastructure improvements, at its sole expense.
18. The Owner shall submit a cash-in-lieu payment of **\$233,000.00** for the design and future installation of a traffic control signal at the Consumers Road/Yorkland Boulevard intersection at the City's discretion.
  19. The Owner shall submit a cash-in-lieu payment in the amount of **\$30,000.00** for a one-time maintenance fee of the future traffic control signal at the Consumers Road / Yorkland Boulevard intersection.
  20. The Owner shall submit a financial guarantee (*amount to be determined*) for the following off-site road improvements that are required as part of this application:
    - 20.1 Widening the westbound approach on Yorkland Boulevard at Yorkland Road to accommodate separate right and left-turn lanes;
    - 20.2 Widening of Yorkland Boulevard along the project frontage to accommodate an eastbound left-turn lane and westbound right-turn lane into the new north-south public road;
    - 20.3 Installation of a northbound left-turn lane at Yorkland Boulevard and Consumers Road; and
    - 20.4 Extension of the Sheppard Avenue East median approximately 30 m to the west

#### Parks, Forestry & Recreation

21. Prior to the issuance of the first above grade building permit, the applicant shall provide cash-in-lieu of the 21 m<sup>2</sup> parkland dedication shortfall.
22. Prior to the registration of the first residential condominium, the Owner shall convey parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR).
23. The Owner will be required to convey the 0.214 ha (2,140 m<sup>2</sup>) portion of the development site, identified as Block 2, for public parkland purposes. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR.

24. The Owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
25. Prior to conveying the parkland to the City, the Owner must:
  - 25.1 Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services and copy to the General Manager, PFR;
  - 25.2 Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
  - 25.3 Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;
  - 25.4 At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states:
    - 25.4.1 In the opinion of the Qualified Person:
      - a) It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and

- b) To the extent that the opinion in 27.4.1 a) above is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.

25.4.2 Land to be conveyed to the City meets either:

- a) The applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9) for the most environmentally sensitive adjacent land use; or
- b) The Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.

25.5 The Qualified Person's statement, referenced in 25.4 above, will include a Reliance Letter that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.

25.6 For conveyance of lands requiring a Record of Site Condition:

25.6.1 File the Record of Site Condition on the Ontario Environmental Site Registry; and

25.6.2 Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services and to the General Manager, PFR.

26. The Owner, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:

- a. grading inclusive of topsoil supply and placement, minimum of 150 mm depth;

- b. sodding #1 nursery grade or equivalent value of other approved park development;
  - c. fencing, where deemed necessary to the satisfaction of PFR;
  - d. drainage systems, including connections to the municipal services as required;
  - e. electrical and water connections (minimum 50 mm) to street line including backflow preventers, shut off valves, water and hydro chambers, including meters;
  - f. street trees along all public road allowances which abut future City-owned parkland;
  - g. standard park sign (separate certified cheque required); and
  - h. demolition, removal and disposal of all existing materials, buildings and foundations.
27. All work is to be completed to the satisfaction of the General Manager, PFR.
28. Prior to the issuance of the first above grade building permit for a building including residential uses, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
29. Prior to issuance of the first above grade building permit for a building including residential uses, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
30. The construction of the Base Park Improvements to each park block shall be completed prior to the registration of the first residential condominium to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
31. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

32. Prior to conveyance of the parkland, the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.
33. The Owner shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, PFR.
34. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.
35. The Owner agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against the Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of installing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The Owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the approved cost estimate. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit for a building containing residential uses.
36. The Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.
37. Prior to the issuance of the first above grade building permit for a building containing residential uses, the Owner is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park improvements for review and approval by the General Manager, PFR.
38. The construction of Above Park Improvements to each park block shall be completed prior to registration of the first residential condominium to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.

39. Should the Owner undertake Above Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.
40. The Owner, upon satisfactory completion of the construction and installation of the Base and Above Base Park Improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. If the cost to construct the Above Base Park Improvements is less than the Parks and Recreation component of the Development Charge credit then the balance shall be paid to the City by certified cheque prior to release of the Letter of Credit. Upon the City's acceptance of the certificate, the Letter of Credit(s) will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.
41. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the Owner provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks, Forestry, and Recreation (PFR).
42. As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file, shall be submitted to PFR. A complete set of "as built" plans shall be provided electronically on CD in PDF format and in a georeferenced AutoCAD file, in addition to two (2) sets full size bond hard copy the General Manager, PFR. The plans shall include, but not limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files are to be organized in folders, including a file index and submitted with written warranties and related documents such as lists of contractor, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.
43. Spare or replacement parts, special tools, etc as provided by manufacturers, if any, are to be provided to PFR.

## Urban Forestry Services (UFS)

### City-owned Trees

44. **Prior to registration of the plan of subdivision**, the Owner is required to submit an "Application to Remove Healthy City-owned Trees" together with an application fee of **\$313.99** for the removal of 1 City-owned tree.
45. **Prior to registration of the plan of subdivision**, the Owner is required to submit a payment in the amount of **\$6,413.00** for the amenity value of the City-owned tree and submit a complete "Agreement for Contractors to Perform Work on City-owned Trees" prior to removing the tree.
46. **Prior to registration of the plan of subdivision**, the Owner is required to submit a Tree Planting Deposit in the amount **\$10,494.00** (\$583.00 per tree) to ensure the planting and survival of 18 new trees on City property. The Tree Planting Deposit must be submitted to the attention of Tara Bobie, Supervisor of Urban Forestry, Tree Protection & Plan Review. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The General Manager of Parks, Forestry & Recreation shall hold the tree planting security deposit for the duration of the renewable guarantee period.

### Privately-owned Trees

47. **Prior to registration of the plan of subdivision**, the Owner is required to submit a complete "Permit Application to Injure or Destroy Trees on Private Property" together with an application fee in the amount of **\$3,139.90** (\$313.99 per tree) for the removal and/or injury of 10 private trees.
48. **Prior to registration of the plan of subdivision**, the Owner agrees to submit a letter of credit as a tree protection guarantee for existing trees. If tree protection is maintained as specified in the arborist report and in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be released at the completion of construction. If it is discovered that there was encroachment within a tree protection zone, or a tree was not protected in accordance with the arborist report and the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be held for a period of up to five years after construction is completed.
49. **Prior to registration of the plan of subdivision**, the Owner shall provide to UFS written consent from the two adjacent property owners for the removal of any mutually private trees.
50. The Owner agrees that post holes for fences within tree protection zones must be hand dug, or excavated using the hydrovac method of excavation, and that roots

- larger than 2.5cm in diameter will not be cut. If necessary, post holes should be relocated to ensure significant roots are not cut.
51. Prior the acceptance of engineering drawings by Engineering and Construction Services, the Owner agrees to submit composite utility plans, indicating the location of all existing and proposed underground and above ground utilities in relation to proposed tree planting locations, at a minimum scale of 1:250, to the satisfaction of Engineering and Construction Services and the General Manager of Parks Forestry and Recreation.
  52. The Owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settle too deeply. Trees are to be planted after final grading, and once the sod has been laid.
  53. Prior to tree planting, the Owner agrees to submit to UFS, a watering schedule for newly planted trees during the guarantee period.
  54. The Owner agrees to contact UFS staff one week prior to tree planting, and once the trees have been planted, in order to establish the anniversary dates.
  55. Upon written request from the Owner, Parks, Forestry and Recreation agrees to inspect the newly planted trees and will advise the Owner if the trees are satisfactory. The Owner acknowledges and agrees to maintain the trees for a period of two (2) years after being advised in writing that Parks, Forestry and Recreation is satisfied with the newly planted trees. The Owner acknowledges that, should any newly planted tree require replacement during this guarantee period, the tree shall be replaced immediately and shall have an additional two (2) year maintenance period placed on this new planting. At the end of that period, upon acceptance, the City shall accept maintenance responsibilities and return the Letter of Credit.
  56. **Prior to the registration of the plan of subdivision**, the Owner shall prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve a successful urban tree plantings within the community. This booklet will be prepared to the satisfaction of the General Manager, Parks, Forestry & Recreation and will be distributed to all homeowners for all dwellings within the limits of this plan of subdivision.

#### Toronto District School Board

57. The Applicant/Developer shall enter into an agreement to erect and maintain signs, at points of egress and ingress of the development site, advising that:

“The Toronto District School Board makes every effort to accommodate students locally. However, due to residential growth, sufficient accommodation may not be available in this area for all students. Students may be accommodated in facilities outside the area until adequate funding or space becomes available.

For information regarding designated school(s), please call (416) 394-7526.”

58. **Prior to registration of the plan of subdivision** the signs shall prepared and erected to the satisfaction of the Board.
59. The Applicant/Developer shall agree in the Servicing and/or Development agreement, or in a separate agreement between the School Board and the Developer, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), that:

“Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board’s policy, that students will not be bussed home to school, but will meet the bus at the designated locations in or outside of the area.”

#### Rogers

60. Rogers Communications Inc. has buried cable plant facilities in proximity to the proposed development. The standard depth of our trench line is 1m. The Owner must proceed with caution when installing their new infrastructure. The Owner will be responsible for any damage to Rogers cable. Stake-outs can be arranged by calling (416) 642-5232.
61. If Rogers cable is in conflict with proposed work and plant relocation is require, the Owner must provide Rogers with detailed drawings and allow sufficient time before construction so that Rogers can coordinate any necessary work that applies to the reconstruction.

#### Enbridge Gas

62. The applicant shall contact Enbridge Gas Distribution’s Customer Connections department by emailing [SalesArea10@enbridge.com](mailto:SalesArea10@enbridge.com) for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and road construction (including, but not limited to: tree planting, silva cells, and /or soil trenches) and/or asphalt paving.

63. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
64. Easement(s) are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost.
65. In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact [SalesArea10@enbridge.com](mailto:SalesArea10@enbridge.com).
66. The applicant will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.
67. Enbridge Gas Distribution reserves the right to amend or remove development conditions.

#### Bell Canada

68. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/ telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
69. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.
70. If there are any conflicts with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for re-arrangements or relocations.

### Canada Post

71. The mail delivery to the 3 residential buildings of this development will need to be centralized. If there is a common indoor hallway for the 4 storey retail building and the address is considered a multi-unit address, mail delivery will be centralized as per Canada Post's Delivery Standards Manual.
72. The Owner/Developer must supply, install and maintain a central mail facility to Canada Post specifications; ensure that all mail delivery equipment is installed in a location that is readily accessible to the occupants and Canada Post personnel; ensure that all mail is accessible by persons with physical disabilities.
73. The Owner/Developer will provide a rear-loading mailroom for any building with more than 100 units.

### Archaeology

74. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the Ministry of Tourism and Culture be notified immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096.
75. In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Tourism and Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8404.

### Advisory notes

#### Hydro One

1. Hydro One Networks Inc. has requested that the following paragraph be included as a note to draft approval:

"An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating ***DANGER - Overhead Electrical Wires*** in all locations where personnel and construction vehicles might come in close proximity to the conductors."